

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 02-19-2008	POLICY NUMBER CC99-001	NUMBER OF PAGES 1	SUPERSEDES POLICY DATED 02-15-1999
Subject: Flag Etiquette Policy		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

1. The City of Deltona will follow United States Code, Title 36, Chapter 10 as defined.
2. It shall be the recognized custom by the City of Deltona that the United States Flag will be flown at half-staff from the date of death to the date of internment for all members of the Deltona City Commission.
 - a. All City offices will show respect by displaying the appropriate symbols of mourning.
3. The United States Flag will be flown at half-staff on the day of internment for any former Commission member when notification is received at least 24 hours before the date.
4. The United States Flag will be flown at half-staff for a period of three days for the death of the spouse of an elected official.
 - a. City Hall will show respect by displaying the appropriate symbols of mourning.
5. The United States flag will be flown at half-staff from the date of death to the date of internment for any members of City staff who die in the Line of Duty.
 - a. All appropriate symbols of mourning will be displayed in the Department that the employee worked and at City Hall.
 - b. This section shall also apply to the Line of Duty Death of a public safety officer (law enforcement, fire, etc.) within Volusia County.
6. The Mayor and the City Manager, acting together, will determine if the United States Flag shall be flown at half-staff for all other dignitaries and elected officials not covered under United States Code, Title 30, Chapter 10 as defined.

CITY OF DELTONA			
COMMISSION POLICY AND PROCEDURE			
EFFECTIVE DATE 03-01-1999	POLICY NUMBER CC99-002	NUMBER OF PAGES 2	SUPERSEDES POLICY DATED 02-15-1999
Subject: Ex-Parte Communication		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

Objective: To formalize how members of the City Commission are to handle ex-parte communications.

The City Attorney has suggested that members of the City Commission try to avoid ex-parte conversations, although this may not always be possible. Two appellate Court decisions, Jennings v. Dade County and Larry Schatzman 17 FLW D26 (Fla. 3rd D.C.A., Dec. 17, 1991), and Snyder v. Board of County Commissioners of Brevard County, Florida 16 FLW D3057 (Fla. 4th D.C.A, Dec 12, 1991) serve as the basis for this policy. The Court ruled that when a *quasi-judicial* officer receives an ex-parte contact, a presumption arises that such contact was prejudicial, and an aggrieved party will be entitled to a new and complete hearing before the Commission unless the defendant proves the communication was not prejudicial. The Court stated that basic fairness and due process requires that both parties be informed of all facts upon which the Commission acts and be given an opportunity to respond to communications by opposing parties.

Quasi-judicial matters coming before the City Commission include public hearings on special exception (conditional use), waiver, variance, zoning interpretation, appeal from decision of the Director of Development Services, site plan, permit, vested rights determinations, and certain rezonings. A *quasi-judicial* decision generally requires finding of fact and a record of the proceedings sufficient for judicial review. A court on review determines whether the decision was based on "competent substantial evidence of record". This is contrasted with the highly deferential "fairly debatable" standard of review for legislative or *quasi-legislative* decisions. Public hearings on general comprehensive zoning and planning ordinances and maps and amendments of broad general application constitute legislative action. Also, public hearing on DRI requests, ordinances and regulations are legislative, rather than *quasi-judicial* in nature.

Procedures to be followed in the event of ex-parte communications:

- a. **ORAL:** City Commissioners should avoid ex-parte communications. In the event you are unable to do so, please distribute the attached "IMPORTANT NOTICE TO CONSTITUENTS AND OTHER VISITORS," (Exhibit "A"), advising the person(s) of the ex-parte rule and the need to repeat the discussion at the public hearing and to produce all documents and exhibits shown to you.
- b. **WRITTEN:** With respect to receipt of written ex-parte communications, City Commissioners are to forward them to the City Manager who will maintain a file for inclusion in the record at

the Commission meeting at which the subject is to be discussed and decided. City Commissioners may acknowledge the letter(s) using the attached letter (Exhibit "B"). The letter advises the correspondent that his/her letter will be made a part of the record, but that it is not appropriate for the Commission to engage in written communication prior to the matter being heard at the upcoming public hearing.

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 07-01-2013	POLICY NUMBER CC99-003	NUMBER OF PAGES 1 of 3	SUPERSEDES POLICY DATED 07-02-2007
Subject: Elected Official Travel and Expenses		Adopted by the Deltona City Commission at the Regular City Commission meeting held on August 2, 1999; revised by Commission action on February 17, 2003; revised by Commission action on February 7, 2005; revised by Commission action on July 2, 2007; revised by Commission action on July 1, 2013.	

ELECTED OFFICIAL TRAVEL AND EXPENSES POLICY

The City will reimburse reasonable and necessary travel expenses and certain work-related costs that occur while on official City business and shall be consistent within the limitations prescribed herein.

The purpose of this policy is to establish criterion and procedures for travel, meal and other appropriate expenses, applicable to all elected officials of the City of Deltona performing authorized travel or conducting official City business.

The provisions contained herein shall supersede and replace all prior policies and procedures regarding this subject.

A. TRAVEL RELATED EXPENSES:

1. GENERAL:

i. Elected Officials are to comply with the City of Deltona Travel Regulations approved by the City Commission as revised and effective December 13, 2006, and as may be amended in the future. Appropriate or covered travel expenses include but are not limited to transportation, lodging and meals. A copy of the Travel Regulations is attached and incorporated herein. There shall be one exception to the Meals Allowance Rates listed in the City's Travel Regulations, the meals allowance rate for elected officials is \$36.00 per day prorated as follows:

- 1. Breakfast \$ 6.00
- 2. Lunch \$ 11.00
- 3. Dinner \$ 19.00

2. CONFERENCES:

i. Elected Officials will be limited to three in-state conference or seminars that have a benefit to the Commission and the community per fiscal year. Elected Officials will seek approval for attendance at out of state conferences or seminars by majority vote of the City Commission. Staff will notify the

members of the City Commission in writing of any and all such travel by individual members of the Commission. Attendance at any additional in state conferences or seminars must be approved by action of the City Commission.

- ii. At a subsequent Regular Commission meeting following the completion of travel by a member of the City Commission to an in state or out of state conference or seminar, said Commission member will present an informal report to the City Commission during Commission comments regarding the benefits of said conference/seminar.

3. LOCAL / REGIONAL / STATE PUBLIC MEETINGS

- i. Local / Regional / State Public Meetings are defined as advertised public meetings that require the attendance of the elected official, and are directly related to the position of an elected official.

B. MISCELLANEOUS EXPENSES:

1. The City shall reimburse elected officials for the cost of City related expenses directly related to their position, including mileage for use of personal vehicles, long distance phone calls, etc. All expenses submitted for reimbursement will be copied for information for the Commission.
2. To maintain communications with elected officials, the City shall issue City IT equipment that fits their requirements, and that the replacement and return of issued equipment is the responsibility of each Commissioner.
3. The City shall pay directly for the membership costs of elected officials for government affiliate groups such as the Florida League of Cities, etc.
4. From time to time, while representing the City it is necessary and proper for elected officials to entertain other officials and individuals. Any entertaining, including meal cost, must have a public purpose and direct benefit to the City listing all individuals present must be provided. All reasonable entertainment costs will be reimbursed provided the entertainment was of a nature, which will, or potentially will benefit the City.
5. The City shall reimburse elected officials for meal costs up to the actual cost of the meal or \$19.00 whichever is greater for functions or meetings where the elected official is required and/or expected to attend and to represent the City. The function or meeting must have a direct relationship to the role of an elected official.
6. For monthly, Volusia County League of Cities dinner meetings deemed to be in the performance of the duties of City Commissioners, reimbursement for that specific meeting may be made up to the amount of the meal for the commissioner and spouse or guest. This is the only case where expenses for family members will be permitted.

C. ITEMS NOT ELIGIBLE FOR REIMBURSEMENT:

1. Contributions made by elected officials to local fundraising efforts.
2. Costs of memberships to local service groups, organizations etc.

3. When traveling with a spouse or a guest, the City will not reimburse the elected official for travel costs for the spouse or guest.
4. Tickets to events when the elected official is NOT attending or representing the City in an official capacity.
5. Parking and moving vehicle citations are the responsibility of the traveler.
6. In no case will the City pay for alcoholic beverages.

D. ITEMS PROVIDED BY THE CITY:

1. The City shall provide a fax machine for each elected official. The fax machine will remain the property of the City. The City shall cover all costs associated with the maintenance and operation of the fax machine. The fax machine may only be used for City business.
2. The City shall provide postage for all official correspondence. The postage meter at City Hall should be used whenever possible.
3. Any other requests for general office supplies including paper for the fax machine shall be made through the City Manager's staff.

E. SUBMISSION OF FORMS FOR REIMBURSEMENT:

All requests for reimbursement shall be turned into the Office of the City Manager no later than the 10th day of each month for the previous month. All such requests will be reviewed by the Finance Department. Submissions beyond this date will not be reimbursed.

In cases when an elected official uses their privately owned vehicle, for both in an out-of County travel, a Local Mileage Reimbursement form is to be submitted. When expenses in addition to mileage are incurred, the elected official should submit the Travel Expense form.

All claims must comply with Florida Statutes, Section 112.061.

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 03-21-2011	POLICY NUMBER CC99-005	NUMBER OF PAGES 2	SUPERSEDES POLICY DATED 02-07-2005
Subject: In-Kind Donations to Deltona-based not-for-profit entities		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

It shall be the policy of the City of Deltona to support Deltona-based not-for-profit entities that sponsor City-wide events for the benefit of all residents. A not-for-profit entity, in accordance with Florida Statutes, §617.01401 (5), shall mean an entity in which no part of the income or profit of which is distributable to its members, directors, or officers.

An entity seeking in-kind services shall submit a special event permit application and a letter of request for specified in-kind services to the Parks & Recreation Department specifying the nature and details of the benefits provided to Deltona residents by such community-wide festival or special event. The entity must also provide an expected attendance number for the event, proposed disposition of any funds raised during the proposed events, and follow the established process and meet all requirements outlined within the City's Code of Ordinances, Chapter 10, Amusements, Entertainment and Block Parties, Article III, Events on City-Owned or Controlled Property. Letters of request for in-kind donations must be submitted to the Parks & Recreation Department no later than 90 days prior to the scheduled event.

A follow-up report must be submitted to the City Commission within thirty (30) days following the conclusion of the special event. Such report shall contain a narrative of the event, and shall also identify the actual number of attendees, any proceeds from the event and the disposition of such proceeds, including a detailed accounting of same, the benefit realized by the City's partnership with the organization for said special event, any difficulties or problems experienced during the event, and any changes suggested for future events. Failure to submit the follow-up report within the required 30-day timeframe will disqualify the agency for funding in the next budget year.

The City Commission, by majority vote, will determine whether or not to provide any or all of the following in-kind services:

1. Fees for permits.
2. Use of City equipment, e.g. barricades, traffic cones, generators, light towers, etc.
3. Costs associated with City staff time to support said special event.
4. Fire and first aid protection calculated at the current hourly rate.
5. Police protection calculated at the current hourly rate.

The maximum total in-kind donations allowed will be based on the expected attendance as follows:

<u>Expected Attendance</u>	<u>Maximum Dollar Value of In-Kind Donations</u>
Up to 100	\$250.00
101 – 200	\$500.00
201 – 300	\$750.00
301 – 400	\$1,000.00
401 – 500	\$1,250.00
501 – 600	\$1,500.00
601 – 700	\$1,750.00
701 – 800	\$2,000.00
801 – 900	\$2,250.00
Above 901	\$2,500.00

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 09-08-1999	POLICY NUMBER CC99-006	NUMBER OF PAGES 1	SUPERSEDES POLICY DATED N/A
Subject: Records with Historical Value		Approved by:	
		_____	_____
		Doc Dougherty, City Manager	Dated

It is the desire of the City to maintain and protect all items of historical significance. It is the intent of the City to ensure that documents of historical value are retained longer than the minimum state requirements.

1. A list of any and all records of historical value that have met the retention requirements of the State of Florida will be submitted to the City Commission for review and direction as to the final disposition of such records. (Examples of historical records include photos, documents and other items regarding Deltona.)
2. Any record determined to be of historical value may be loaned to the Arts and Historical Society, the Deltona Regional Library or other agencies as determined to be appropriate by the City Commission. In all such cases, such records will remain the property of the City.

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 09-08-1999	POLICY NUMBER CC99-007	NUMBER OF PAGES 1	SUPERSEDES POLICY DATED N/A
Subject: City Commission correspondence		Approved by:	
		_____	_____
		Doc Dougherty, City Manager	Dated

In order to keep the members of the City Commission informed, a "Read File" will be established in the City Manager's Office. Copies of the following information will be kept on file for sixty days.

1. Any official correspondences sent on City letterhead.
2. Memorandums containing official City information.
3. Any information regarding suits filed against the City.
4. Any requests for information.
5. Copies of electronic mail (e-mail) messages received by members of the City Commission.

All requests for information to City staff must be submitted through the City Manager.

Elected officials are responsible to see that copies of official correspondences are sent to the City Manager's office to be placed in the "Read File".

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 05-01-2000	POLICY NUMBER CC00-001	NUMBER OF PAGES 1	SUPERSEDES POLICY DATED N/A
Subject: Purchase of goods and services from Mayor or Commissioner owned businesses in which the Mayor or Commission have an interest.		Approved by:	
		_____	_____
		Doc Dougherty, City Manager	Dated

When found to be in the best interest of the City of Deltona, purchases of goods or services from Mayor or Commissioner owned businesses or from any business in which the Mayor or a Commissioner has an interest or receives financial gain are permitted within the following guidelines:

- The goods/services are transacted under a system of sealed, competitive bidding as outlined in the City's Procurement Policies & Procedures Manual and:
 1. The Mayor or Commissioner has in no way participated in the determination of the bid specifications or the determination of the lowest or best bidder;
 2. They Mayor or Commissioner has in no way used or attempted to use their influence to persuade the City staff to accept a contract other than by the mere submission of the bid;
- AND
3. Prior to or at the time of submission of the bid, the Mayor or Commissioner must file a statement with the Supervisor of Elections of the County of Volusia disclosing their interest and the nature of the intended business.
- The purchase of sale is for legal advertising in a newspaper, for any utility service, or for passage on a common carrier.
 - The services/goods are provided at current market prices under a rotation system among qualified suppliers of the goods or services.
 - The business is the only source of supply within the City and full disclosure is made to the City Commission of the Mayor or Commissioner's interest in the business prior to the transaction.
 - The total amount of the transactions in the aggregate does not exceed \$500 per calendar year.
 - If there is an emergency situation and the purchase or contract must be made to protect the health, safety, or welfare of the citizens of the City of Deltona.

CITY OF DELTONA COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 02-05-2007	POLICY NUMBER CC01-001	NUMBER OF PAGES 2	SUPERSEDES POLICY DATED N/A
Subject: Monetary donations (grants) to requesting non-profit or charitable agencies that provide services beneficial to the City and its residents.		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

It is the intent of this policy to describe how the City of Deltona identifies eligible projects, which could be funded by monetary donations (grants) from the City.

The City Manager or his designee will process requests for any monetary donations. Those requests that meet **ALL** minimum criteria will be forwarded to the Commission for action. Those requests, which do not meet the minimum criteria, will be notified in writing that their request **will not** be forwarded to the City Commission for further action.

Requests for monetary donations will be accepted under two (2) categories – Social Services and Community Services. The Social Services’ category shall include services to benefit those in need within the community. The Community Services’ category shall include special events or activities which are open to the general public.

Maximum donation per group or special event in any given year: \$2,000.

The deadline for submittal of all requests for consideration is June 30th for the following fiscal year. Submittal of a City Application for Funding form, together with applicable attachments, shall be required for all agencies seeking funding from the City. All requests forwarded to the City Commission, which meet ALL minimum criteria, will be decided upon at the first Regular City Commission meeting in September for the fiscal year beginning October 1st.

The minimum criteria for consideration of a monetary award by the City shall be as follows:

- The group, non-profit entity, or charitable organization must provide a service to Deltona community members;
- Only 501.C3 not for profit organizations are eligible grant recipients for funds from the City as part of this policy;
- As part of the grants application, each group, non-profit entity, or charitable organization must submit a Materials Purchase Schedule to the City which specifically describes how requested funds are to be used for the requested program/event, including estimated costs, potential vendor and a general description of the proposed purchases;
- Each group, non-profit entity, or charitable organization must submit a Materials Purchase Schedule to the City on how funds were used after the program/event and prior to any request for a subsequent year; and attach documents, such as, canceled checks, sales receipts and invoices that support the funded project; and

- Funds provided by the City are to be used for the sole purpose delineated in the submitted grant application unless unforeseen circumstances arise which affect the use of City awarded funds. The receiving agency shall be responsible for reporting any change in the use of awarded funds to the City Manager prior to the end of the subject fiscal year. Funds provided by the City are not to be used for cash scholarships, grants or awards.

Requests that fall outside the scope of the policy: All requests for funding that fall outside the scope of this policy must adhere to the following criteria:

- All such requests must be submitted in writing to the City Manager a minimum of two (2) weeks prior to the City Commission meeting at which the request is to be considered;
- Requesting agencies must provide valid proof of expenses associated with their written request;
- Such requests must have a compelling and valid reason why the request can not be considered as part of the City's annual monetary donations funding cycle;
- At the City Manager's discretion, such requests will be forwarded to the City Commission for consideration at the next regularly scheduled City Commission meeting;
- The Commission shall identify the funding source for any funds awarded to requesting agencies; and
- If approved for funding, each group, non-profit entity, or charitable organization must submit a completed Materials Purchase Schedule to the City on how funds were used within 30 days after the program/event occurs. Expenses shall be substantiated by copies of documents, such as canceled checks, sales receipts and invoices that identify how City funds were utilized.

CITY OF DELTONA COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 04-02-2001	POLICY NUMBER CC01-002	NUMBER OF PAGES 1	SUPERSEDES POLICY DATED N/A
Subject: Use of Interns		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

The City of Deltona offers both voluntary and paid internships. Individuals interested in being considered for an internship, either paid or voluntary, can inquire directly to the department or thorough the Human Resources Department. Awarding of any internship requires the approval of the City Manager.

The guidelines listed below apply to all paid interns.

These positions are designed to fulfill an individual's need for an internship for a college/university degree program and for real world experience. The position will not be filled by anyone other than a student. All of the intern positions are paid through a line item in the General Fund of through savings identified in existing line items in departmental funds.

The number and length of paid intern positions will be determined per spending authority included in the annual budget for the fiscal year.

After receiving an inquiry by an applicant, the Department Head shall submit a request in writing for an intern on the Request for Intern Form to the Human Resources Department. Requests should include type of intern Department is seeking, responsibilities and/or projects the intern will work on, who the intern will report to and the work schedule for the intern. Once selected, the intern shall complete personnel paperwork and submit to a drug test but is not required to have a physical exam. A schedule for the hours the intern will work, paperwork required from the City, and an list of requirements imposed on the City by the college or university must be on file in the Human Resources Department.

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 07-16-2001	POLICY NUMBER CC01-003	NUMBER OF PAGES 2	SUPERSEDES POLICY DATED N/A
Subject: Sidewalk Prioritization Plan		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

GENERAL:

The building of sidewalks will be prioritized according to need, be limited to rights of way owned by the City of Deltona and shall be subject to annual budget appropriations.

The following criteria will be used in determining where sidewalks will be constructed. In most cases, new sidewalk construction will be limited to one side of the street until all priority areas have sidewalks in place.

Sidewalks may be constructed close to pedestrian generators, to continue a walk on an existing street, to link areas, or depending on probable future development.

SCHOOLS:

Sidewalks will be constructed along roadways with pedestrian traffic enroute to elementary and middle schools within one half (.5) mile and one (1.0) mile of the school as well as along roadways with pedestrian traffic enroute to bus stop locations.

COLLECTOR ROADS:

Sidewalks will be provided on at least one side of all minor collectors and both sides of arterials and major collectors and along roadways that are being widened or otherwise improved.

CDBG AREAS:

In community Development Block Grant areas, sidewalks along roadways will be constructed to provide neighborhood improvements in targeted areas.

LOCATION OF SIDEWALKS:

Sidewalks shall be placed in the right-of-way, parallel to the street, unless an exception has been permitted to preserve topographical or natural features or to provide visual interest, or unless the applicant shows that an alternative pedestrian system provides safe and convenient circulation.

SUBDIVISIONS:

All subdivisions shall have four-foot-wide concrete sidewalks on both sides of all local and minor collector streets and five-foot-wide sidewalks on all arterial or major collector streets. All sidewalks shall be located within street right-of-way or approved easements.

SPECIAL CONSIDERATION:

Special consideration will be given along roadways where circumstances of changes in development or use warrant construction of sidewalks, also where new park construction entails additional sidewalks.

SIDEWALK ASSESSMENTS:

The City may, at its discretion, construct a sidewalk along any street or roadway it feels is needed and appropriate for the health, safety and welfare of its citizens. In doing so, the City reserves the right to assess each property owner on a street frontage basis.

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 07-15-2002	POLICY NUMBER CC02-001	NUMBER OF PAGES 1	SUPERSEDES POLICY DATED N/A
Subject: Health Insurance benefits for members of the City Commission.		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

Public Service is a demanding endeavor requiring those who pursue it give up much of their free time. Many individuals who make public service part of their lives work, and elect to serve their communities and their residents, may not enjoy certain benefits that, if provided, would help to make public service increasingly more attractive to the public at large.

Therefore, consistent with the practices of many similar communities, the City of Deltona will make enrollment in City offered Health insurance plans available to members of its City Commission.

This coverage is to be offered under the same guidelines that it is made available to eligible members of the City's staff, as regulated by the respective contract with the Insurance Company, and in agreement with current laws and existing City policies and procedures. However, coverage for City Commission members will be provided with the condition that those who elect coverage must pay 100% of the premium cost.

Required premiums shall be paid through payroll deduction and as governed by the City's Section 125 Cafeteria Plan as codified by IRS regulations.

CITY OF DELTONA COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 04-04-2005	POLICY NUMBER CC05-001	NUMBER OF PAGES 2	SUPERSEDES POLICY DATED N/A
Subject: Growth Management Policy Statement		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

1. The City has adopted Sustainable Development as the foundation of its growth management policy. Sustainable Development is a commitment to responsible, well-balanced growth that will meet the needs of the present without compromising the needs of future residents. Any new development should help to make Deltona a more sustainable community to live in.
2. The preservation of affordable housing opportunities for residents is a focal point of growth management. Without new growth, land values could be affected to the point that the variety of housing choices is reduced, and affordable housing opportunities are lost inside of the City.
3. The City considers annexation as a tool to bring about sustainability and cost effective and efficient municipal service delivery and understands the responsibilities that come with annexation such as the need for increased services as both population and development occur.
4. The City considers annexation as a tool to address the needs associated with meeting population projections as provided by the State of Florida.
5. The City will consider voluntary annexation requests that provide a net benefit. Such benefit will be determined by competent study by an outside firm and will be required on any annexation over 1,500 acres in size and may be required on smaller annexations. The fiscal impact analysis will incorporate a case study – marginal approach wherever possible. The cost of the study shall be the responsibility of the applicant.
6. The City will support and will implement land development code provisions that will enhance the character or identity of an area should it choose to annex into the City.
7. The City will identify areas within its current corporate limits that are logical locations for redevelopment. Redevelopment and change in existing land use to a higher use will be implemented when economically feasible to do so.
8. The legislature should discourage county governments from assuming municipal government functions and responsibilities and reaffirm the role of cities as the primary providers of municipal services.

9. The legislature should do more to encourage large-scale, mixed-use development. Such development could be formalized through either the DRI program or a new alternative planning process. This new planning process would provide a comprehensive, multijurisdictional review of projects that affect more than one local government and ensures integration with local comprehensive plans and retains local flexibility.
10. The City will oppose any effort by the legislature to require cities to reimburse counties for the adverse fiscal impacts with annexation.

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 08-15-2011	POLICY NUMBER CC06-001	NUMBER OF PAGES 1	SUPERSEDES POLICY DATED 05-15-2006
Subject: Limitation of Service on Citizen Boards and Committees		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

PURPOSE:

The purpose of the Limitation of Service on Citizen Boards and Committees is to provide the opportunity for as many citizens as possible to serve on City of Deltona's boards and committees.

OVERVIEW:

Citizen participation in local government is the foundation of our democratic way of life. The City of Deltona's goals are best met by public discussion to ensure accountability to its citizens. Citizen advisory boards and committees are critical to maintain communication, local standards, municipal planning and the direction the City of Deltona takes in providing services. All residents are encouraged to contribute their time, experience and good sense in the determination of City policies and procedures.

Board and committee members participate in government by analyzing issues through formal discussions and procedures. Each board/committee is different and the amount of time a member devotes to his/her duty will vary. The responsibilities of members are provided by the City Commission through ordinance or resolution.

In order to properly address their responsibilities, citizens who are members of City boards/committees must have adequate time to attend meetings; conduct research; and communicate with the public, city staff and elected officials.

POLICY:

It is the policy of the City of Deltona that no citizen may, simultaneously, serve on more than one City board, committee, or sub-committee. This policy does not apply to citizens serving on sub-committees, or committees and boards of a temporary nature, and does not apply to citizens serving on sub-committees of the actual board or committee on which such citizen serves.

This policy limiting the number of boards/committees on which a citizen may serve shall apply prospectively only and shall not affect the current term being served by citizens on any board and/or commission within the City of Deltona.

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 02-16-2015	POLICY NUMBER CC10-01	NUMBER OF PAGES 1	SUPERSEDES POLICY DATED 12-13-2010
Subject: Expression of Sympathy Policy (applicable to elected officials and City staff)		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

OBJECTIVE:

To describe the guidelines to follow to convey the City’s expression of sympathy when the death of a City elected official’s or City employee’s immediate family occurs.

GUIDELINES:

1. The City will provide a gift (gift card, plant, cash, etc.) at an appropriate cost to be determined by the City Manager and a standard format City sympathy card to be presented by the affected department’s Director to the staff member who experienced the loss of an immediate family member after their bereavement leave or upon their return to work.
2. Immediate family member shall be defined as: spouse, child, stepchild, parent, grandparent, brother, sister, legal guardian and grandchildren of either the employee or his/her spouse, life partner. For purposes of this policy, immediate family also includes any relative not listed but living in the home of the elected official or employee.
3. The City Manager’s Office will be responsible for making arrangements for the gift and sympathy card, to be sent on behalf of the; “Mayor, Commission, City Manager and staff, and the residents of Deltona.”
4. In the event of the death of a City employee, such instances will be handled as deemed appropriate by the City Manager.
5. In the event of the death of a City elected official or surrounding City elected official, such instances will be handled as deemed appropriate by the Mayor.

NOTE: The City Manager’s Office will notify members of the City Commission when such an event occurs. Individuals who wish to provide an additional expression of sympathy may do so at their own personal expense, not from City funds.

CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE



EFFECTIVE DATE 07-16-2012	POLICY NUMBER CC12-001	NUMBER OF PAGES 2	SUPERSEDES POLICY DATED N/A
Subject: City Naming Guidelines for City Parks, Facilities, and Buildings		Approved by:	
		_____ Doc Dougherty, City Manager	_____ Dated

Purpose:

The purpose of these Guidelines is to establish a consistent method for the official naming of City parks, facilities, and buildings.

Objectives:

1. Ensure that City parks, facilities, and buildings are easily identified and located.
2. Ensure that given names to City parks, facilities, and buildings are consistent with the values and character of the City or neighborhood served.
3. Encourage public participation in the naming, renaming and dedication of City parks, facilities, and buildings.
4. Encourage the dedication of lands, facilities, or donations by individuals and/or groups.

Definitions:

“City parks”, “facilities”, and “buildings” – include all property assets under City of Deltona ownership and control, including buildings, structures, open spaces, public parks, natural areas, wetlands, environmental habitat and land.

“Unique contributions” – outstanding, invaluable civic service, actively involved in community groups, clubs or boards; received letters from clubs or organizations as to contributions, received public recognition.

Criteria:

The following criteria shall be used, as applicable in each given situation, in determining the appropriateness of the naming designation:

- a. Neighborhood or geographical identification;
- b. Natural or geological features;
- c. A place of historical, cultural or regional significance.

Facilities may be named after a deceased person provided that he/she made an unusually outstanding contribution to public service and the community at large, and that he/she resided in the City of Deltona for a minimum of ten (10) years.

The process to name City parks, facilities, and/or buildings should begin within 12 months after the City has acquired title to the land and/or formally accepted the dedication of the property.

Names that are similar to existing parks, facilities, and/or building systems (or other systems in neighborhood areas) should not be considered in order to minimize confusion.

Any resident of the City may submit a suggested name for a new park, facility, or building to the City Manager for research and ultimate consideration by the City Commission.

Procedure: Naming of City Parks, Facilities and/or Buildings:

A request for the naming of a City park, facility or building shall be submitted in writing to the City Commission through the City Manager.

1. The naming request should indicate how the proposed name is consistent with the criteria listed in these Guidelines.
 - a. When suggesting the name of a deceased person for the park, facility, or building, the nominator should describe the unique contributions to the City made by the nominee. Written documentation of approval of nominee's next of kin will be required prior to Commission action.
 - b. The City Manager or designee will conduct any applicable research regarding the nominee and schedule consideration of the nomination before the City Commission.

3) Attach letters of endorsement from groups, clubs or individuals regarding contributions.

4) Attach any notification (newspaper article, letter, etc.) of public recognition received for this individual or group's contribution(s).

Submitted by: _____ Date: _____
Nominator's Name

Contact information:

- Telephone/Cell: _____
- Address: _____
- Email address: _____

If nomination is for an individual, please include contact information for next of kin:

- Name of next of kin: _____ Relationship to nominee: _____
- Telephone/Cell: _____
- Address: _____
- Email address: _____

Nomination form to be submitted to:

City Manager's Office, City of Deltona, 2345 Providence Blvd. Deltona, FL 32725.

RESOLUTION NO. 2015-14

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, ADOPTING COMMISSION POLICY AND PROCEDURE AS TO GUIDELINES FOR USE OF CITY OF DELTONA FACILITIES; PROVIDING FOR CONFLICTS AND EFFECTIVE DATE.

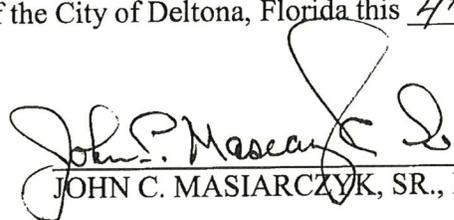
BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, AS FOLLOWS:

SECTION 1. That the City Commission of the City of Deltona does hereby adopt the attached City of Deltona Commission Policy and Procedure as to Guidelines for use of City of Deltona Facilities.

SECTION 2. All resolutions or parts thereof that are in conflict with this Resolution, be and the same are hereby repealed.

SECTION 3. This Resolution shall become effective immediately upon its adoption.

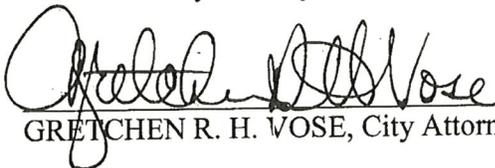
ADOPTED BY the City Commission of the City of Deltona, Florida this 4th day of May, 2015.


JOHN C. MASIARCZYK, SR., MAYOR

ATTEST:


JOYCE RAFTERY, City Clerk

Approved as to form and legality for use and reliance by the City of Deltona, Florida


GRETCHEN R. H. VOSE, City Attorney

NAME	YES	NO
HERZBERG		✓
HONAKER	✓	
NABICHT	✓	
SMITH	✓	
SOUKUP	✓	
SCHLEICHER	✓	
MASIARCZYK	✓	

AMENDED RESOLUTION 2011-04

**A RESOLUTION OF THE CITY OF DELTONA, FLORIDA,
PERTAINING TO FACILITY USE FEES; PROVIDING FOR
FEES FOR SERVICES RENDERED BY THE CITY OR FOR
USE OF CITY FACILITIES AND PROPERTY; PROVIDING
FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, the City of Deltona owns and operates certain property and facilities which are suitable for use by others; and

WHEREAS, the City of Deltona is willing to rent those properties and facilities upon the payment of a rental fee and the execution of a use agreement; and

WHEREAS, the residents of Deltona, including the corporate residents of Deltona, support the maintenance and operation of the facilities through tax payments; and

WHEREAS, not-for-profit residents of Deltona that offer programs for Deltona residents support the programing efforts of the City by supplementing the programs implemented by the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:

Section 1. The City Manager or the City Manager's designee is authorized to charge a fee for use of City facilities and property as set forth in Section 2 hereof.

Section 2. The uses of City facilities and property for which the City shall charge a fee and the amount of the fee for each use are as follows:

(a) Building Rental.

(1) Main Hall-Community Center \$ 60.00 per hour*

*4 hour minimum rental

- (2) Kitchen-Community Center \$100.00 per event
- (3) Meeting Room/Conference Room \$ 30.00 per hour
- (4) Gymnasium \$ 35.00 per hour

(b) Grounds Rental

- (1) Picnic Pavilion \$ 35.00 ¼ day \$ 70.00 full day
- (2) Splash Pad No Charge
- (3) *Soccer Fields:
 - With lights \$ 75.00 per hour
 - Without lights \$ 50.00 per hour
 - Tournament \$300.00 per field per day

*(if applicable an additional charge for turf repair to be determined)

- (4) Softball/Baseball Fields:
 - With lights \$ 75.00 per hour
 - Without lights \$ 50.00 per hour
- (5) Football Fields:
 - With lights \$ 75.00 per hour
 - Without lights \$50.00 per hour

(c) Athletic Organizations fees per participant per season:	2015	2016	2017
(1) West Volusia Youth Baseball	\$5.00	\$5.00	\$10.00
(2) Deltona Little League	\$5.00	\$5.00	\$10.00
(3) Adult 6v6 Soccer	\$5.00	\$5.00	\$10.00

(4)	West Volusia Wolves Pop Warner			
	Football & Cheerleading	\$5.00	\$5.00	\$10.00
(5)	Deltona Panthers	\$5.00	\$5.00	\$10.00
(6)	Deltona Youth Soccer Association	\$5.00	\$5.00	\$10.00
(7)	Game Changer Sports Academy	\$5.00	\$5.00	\$10.00

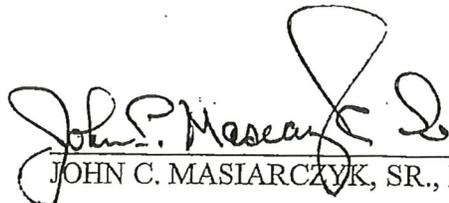
*Each above sports organization will pay the City of Deltona in the year specified the amount per participant who is registered and assigned to a team yearly beginning May 1, 2015, payable on or before the end of the first month of the season begin played to offset the cost for team practice, night usage/electricity, and game play.

Section 3. This amended resolution shall be without prejudice to existing easements or contractual rights of sports organizations to use specific fields and buildings.

Section 4. Severability. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application.

Section 5. Effective Date. This amended resolution shall take effect immediately upon its final adoption by the City Commission.

PASSED AND RESOLVED this 4th day of May, 2015, by the City Commission of the City of Deltona, Florida.

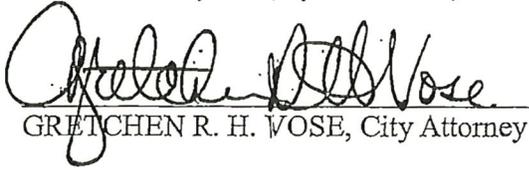


 JOHN C. MASARCZYK, SR., MAYOR

ATTEST:


JOYCE RAFTERY, City Clerk

Approved as to form and legality for use
and reliance by the City of Deltona, Florida


GRETCHEN R. H. VOSE, City Attorney

NAME	YES	NO
HERZBERG		✓
HONAKER	✓	
NABICHT	✓	
SMITH	✓	
SOUKUP	✓	
SCHLEICHER	✓	
MASIARCZYK	✓	

CITY OF DELTONA COMMISSION POLICY AND PROCEDURE

EFFECTIVE DATE 05-04-15	POLICY NUMBER CC99-004	PAGE NUMBER 1 of 2	SUPERSEDES POLICY Date: 06-17-02
Subject: Guidelines for use of City of Deltona Facilities		Adopted by the Deltona City Commission at the Regular City Commission meeting held on September 9, 1999; revised by the Deltona City Commission on June 5, 2000; revised June 17, 2002 to provide new Facility Fee Schedule and delete references to Fountains Plaza; revised/adopted at Regular City Commission meeting held on May 4, 2015 by Res. 2015-14.	

Facilities:

Fire Department Training Room

Capacity:

30

Meetings:

1. Times: Meeting rooms are available Monday through Friday beginning from 8 a.m. to 10:00 p.m. depending on availability.
2. Governmental Meetings: Meeting rooms are free of charge on a first come, first serve basis.

General Meeting Rules and Information:

1. The user is responsible for providing audio/visual equipment (blackboards, flipcharts, easels), etc.
2. No message center is available
3. User should make all necessary copies before arriving
4. Each user is responsible for returning the room to its original setup and removes all papers and equipment brought in following each meeting.
5. Use of any decoration including balloons of any type must be pre-arranged.

Exceptions:

The City Manager or designee may make exceptions to these guidelines.

Facilities:

Community Center
Kelso Room
Sun Room
Main Room

Capacity:

35
35
200

Wes Crile Park Conference Room
Harris Saxon Main Room
Meeting Room

55
150
55

Meetings/Functions:

1. Times: Meeting rooms are available through reservations at respective facilities.
2. Facilities are available for meetings or other functions on a cost per hour and are reserved on a first come, first serve basis through the Parks and Recreation Department office in City Hall. Rooms may be reserved up to ninety days in advance.

**CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE**

POLICY NUMBER: CC99-004

SUBJECT: Guidelines for use of City facilities

Page: 2 of 2

General Meeting/Function Rules and Information:

1. The user is responsible for providing audio/visual equipment (blackboards, flipcharts, easels), etc.
2. The user is responsible for providing any special equipment not readily available through the facility.
3. No message center, fax assistance, or copy service is available.
4. Each user is responsible for returning the room to its original setup and removing all papers and equipment brought in following each meeting.
5. Use of alcohol must be pre-arranged per facility guidelines.

Exceptions:

The City Manager or designee may make exceptions to these guidelines.



City of Deltona

Facility Use Agreement Application

New Application Renewal

Name of Applicant/Organization: _____

Name of Contact Person: _____

Mailing Address: _____

Email Address: _____

Phone: Organization: (____) _____ Home: (____) _____ Cell: (____) _____

FACILITY REQUESTED:

Name of Facility: _____

Type of Activity: _____

Dates of Use: _____

Time of Use: From: _____ To: _____

DOCUMENTATION TO BE PROVIDED WITH APPLICATION:

Groups, organizations, corporations or programs, please submit the following documents with your application:

- Copy of State of Florida Certificate of Corporation
- Copy of Articles of Incorporation identifying Board Member name and address
- Federal Identification Number of Organization (if applicable)
- Certificate of Liability Insurance and Endorsement (please read Insurance Requirements on page 2)
- List of coaches, officials, and employees, with copy of drivers licenses attached
- List of all officers of organization with copy of drivers licenses attached
- Copy of Deltona Business Tax Receipt
- Proof of level 1 background checks on all staff, contracted personnel, employees, and board members

INSURANCE REQUIREMENTS:

The City of Deltona requires the organization, group or individual utilizing the facility to be covered by insurance. A Certificate of Insurance must be filed with the City of Deltona prior to use of the facility. The Facility User shall provide a Certificate of Insurance and Endorsement from an insurance company rated "Class A" or better by A.M. Best or some other form of assurance approved by the City. **The required insurance shall be evidenced by a Certificate of Insurance identifying the City of Deltona as an additional insured under their general liability policy, with minimum limits of \$1,000,000.00 per occurrence combined single limit, to include premises/operations, independent contractors, products/completed operations, broad form contractual and personal injury.** The insurance company shall be instructed to provide a thirty (30) day notice of cancellation to the City. The City of Deltona

requires that original certificates and endorsements be present before the approval of the Facility Use Agreement.

BACKGROUND CHECKS

To be eligible to utilize a City facility, the City of Deltona requires a Level 1 Background Screening of all staff, contracted personnel, employees, and board members of organizations who work with or interact with children. Copies of the results of the background screenings must be supplied to the City for verification upon request.

PLEASE READ CAREFULLY BEFORE SIGNING:

I have read and understand the attached Facility Use and Agreement Requirements and agree to be bound by all said policies, rules, regulations and conditions of use as written.

Applicant Signature: _____ Date: _____

Print Name: _____

Title: _____

Note: Organization cannot occupy the facility until receiving an "Authorization to Occupy".

RECEIVED BY CITY OF DELTONA

Name: _____

Date: _____

For Office Use Only:

Facility	Total Hours	Rate per hour	Total Fees

{ORGANIZATION}
FACILITY USE AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____, 2015, by and between the CITY OF DELTONA, a Florida municipal corporation, with its principal place of business located at 2345 Providence Boulevard, Deltona, Florida, hereinafter referred to as "City", and {ORGANIZATION NAME}, a Florida organization, with its principal place of business located at {ADDRESS}, Florida hereinafter referred to as "User".

WHEREAS, User desires the non-exclusive use of the City-owned {FACILITY NAME} facility located at {FACILITY ADDRESS}, Deltona, Florida, (hereinafter referred to as the "Facility") for {PURPOSE/ACTIVITY}; and

WHEREAS, the City is desirous of increasing the opportunities for recreational programs and activities for the community; and

WHEREAS, the City finds and determines that the programs, activities, and services rendered to the community by User and the land dedicated and provided by the City does serve a public purpose by providing a location for User to conduct {PURPOSE/ACTIVITY}; and

WHEREAS, the City has and, by these presents, does find and determine that it would be in the best interest of the public health, safety, and welfare to enter into this Agreement for facility use, and

WHEREAS, the Commission of the City of Deltona has approved award of this agreement on this {DATE}.

NOW, THEREFORE, the parties in consideration of the mutual covenants, terms and provisions hereof, and other good and valuable consideration, the receipt and sufficiency all of which is hereby acknowledged, do hereby desire and agree to be bound by the following terms and conditions of this agreement as follows:

Article 1. Recitals

The foregoing recitals are true and correct and incorporated herein by reference.

Article 2. Use of Facilities

2.1 The City does hereby agree to allow User the non-exclusive use of {FACILITY} provided that the use of said facility conforms to the covenants and conditions herein contained. Said usage for the facility shall be {DAYS} from {TIMES}. {Said usage shall be consistent with the schedule provided by User and approved by the Parks and Recreation Director or his designee (hereinafter referred to as the "Director").}

2.2 Use of the facilities during any other time by User shall require the written approval of the Director. User shall submit a typed list of dates and activities to be conducted at the facilities fifteen (15) days prior to commencing the activities which shall be subject to approval or denial by the Director. City shall have the right to use the facilities anytime the facilities are not in actual use by User.

Article 3. Term

3.1 This Facility Use Agreement (hereinafter referred to as the "Agreement") shall remain in effect for a period of one (1) year from the date made and entered by the parties.

3.2 Written notice must be provided to the City by User of its intent to renew this Agreement on the City-approved Facility Use Renewal Form a minimum of sixty (60) days prior to the expiration of the term of this Agreement.

3.3 Upon receipt of a timely Facility Use Renewal Form, this Agreement may be renewed for one additional year, and may be renewed yearly up to a total of three additional years, upon written acceptance by the City prior to each successive renewal.

Article 4. Payment

4.1 That User shall pay the City \$5.00 per participant who is registered and assigned to a team yearly beginning May 1, 2015, payable on or before the end of the first month of the season being played.

4.2 If payment is not made in accordance with this Agreement, a Notice of Cancellation will be issued to the organization.

4.3 All payments shall be sent to the City of Deltona, Accounts Receivable, 2345 Providence Blvd., Deltona, FL 32725.

Article 5. Obligations of City

The City shall be responsible for:

- A. Payment of all utilities at the facilities, subject to the City's right to issue guidelines concerning the usage of all lighted areas; and
- B. Providing adequate trash receptacles at the facilities; and
- C. Coordinating sanctioned activities in an effort to minimize conflict with User's use of the facilities; and

- D. Providing infield materials (clay and sand mixture) if applicable; and
- E. Providing one training annually on proper field and turf maintenance if applicable;; and
- F. Providing turf maintenance, including mowing as needed to ball fields and herbicide, pesticide and fertilizer applications if applicable; and
- G. Providing on-going facility preventive maintenance if applicable; and
- H. Ensuring buildings, fencing, and restrooms are monitored for cleanliness and safety if applicable;

Article 6. Obligations of User

User shall be responsible for:

- A. Coordinating User's activities and providing a representative to act as a liaison to the City for the term of the Agreement; and
- B. Providing adequate personnel, staffing, or volunteers to insure the proper use of the facilities and to provide for the adequate security, safety, and emergency medical needs of all its members, guests, visitors, and participants; and
- C. Maintaining the facilities in a clean and sanitary condition, free of paper and debris, during and after each use including the emptying of all trash containers into dumpsters provided by the City, and providing all necessary equipment to maintain or repair all protective screening, netting, fencing, and the pitching machine in the batting cage; and cleaning of facility restrooms during the season daily and all other facility amenities regularly to monitor cleanliness, safety and maintenance concerns; and
- D. Submitting a typed list of names, addresses, phone numbers, qualifications, and certifications of all board members, coaches, and assistants and providing monthly updates of any changes to the list; and
- E. Providing the City with a written statement indicating that every staff member, employee, volunteer or contracted personnel has passed a Level I background check and submitting a copy of the results of each screening; and
- F. Providing any and all necessary equipment required for use of the facilities; and
- G. Repairing any damage to the facility resulting from User's use, even if the City determines that the facility is useable, without regard to the extent of damage, as solely determined by the Director; and

- H. Reporting any known or discovered damage or vandalism to the Director immediately by submitting a written description of the damage or vandalism and a brief statement of the incident, discovery, or cause within 24 hours, to the Director, using the City incident/accident report form; and
- I. Reporting all accidents or injuries occurring at the facilities to any staff, visitor, participant, or other person, to the City immediately by telephone and by submitting a written report of the accident or injury using the City incident/accident report form within 24 hours; and
- J. Refraining from any alteration, advertising, or signs on any fence, building, right-of-way, road, or facilities without the Director's prior written approval, including the distribution or placement of any advertisement related to the use of City facilities; and
- K. Taking any and all reasonable and prudent steps necessary to be informed of and abide by all ordinances, rules, policies, laws and regulations of the City, State, and Federal government at all times; and
- L. Agreeing to always be in full compliance of all laws, rules, policies, and regulations affecting or applicable to User and its activities and programs; and
- M. Obtaining written permission from the Director prior to the purchase or lease of any equipment to be installed for use at the facilities; and
- N. Obtaining written permission prior to conducting any business, activity or program not approved by the Director in writing; and
- O. Refraining any other person or entity from conducting any type of business or enterprise at the facilities without prior written approval from the Director; and
- P. Allowing the City access to inspect the facilities at any time; and
- Q. Refraining from conducting any practice sessions, practice games, or clinics not expressly authorized under this Agreement without the express written consent of the Director; and
- R. Providing the City with a copy of User rules, regulations, charter, guidelines, and organizational chart, along with rules dictating the conduct of the games, and those used by the coaches and referees, if applicable; and
- S. Retain daily access to the facility and field by the public unless authorized by the Director or when fields are prepared for games; and
- T. Being solely responsible for all losses or damages suffered by User to its operation, equipment and property at the facilities.

Article 7. Insurance

7.1 User, at its own cost and expense, shall have in force, during the term of this Agreement, insurance from an insurance company licensed in the State of Florida and rated "Class A" or better by A. M. Best or some other form of assurance approved by the City's Risk Manager. User shall not occupy the facility until City has received an acceptable certificate or certificates of insurance evidencing the required insurance, which is as follows:

7.2 Commercial General Liability Insurance insuring User against liability arising from its occupancy, use, or operation of the City's facilities necessary or incidental thereto. User shall list and endorse the City as an additional insured under the general liability policy. Except as otherwise agreed in writing by the City, the insurance shall be provided on a form no more restrictive than the Standard Commercial General Liability Form (ISO FORM CG 00 01) without any restrictive endorsements, and the City shall be included as an "Additional Insured" on a form no more restrictive than Form CG 20 10, Additional Insured-Owners, Lessees, or Contractors (Form B). The minimum limits (inclusive of amounts by an umbrella or excess policy) shall be available at all times and shall be:

\$1,000,000 General Aggregate
\$1,000,000 Products Liability/Completed Operation Aggregate
\$1,000,000 Personal and Advertising Injury
\$1,000,000 Each Occurrence

The General Liability policy is to contain or be endorsed to name the City, its officers, officials and employees as additional insureds as respects to the liability arising out of the activities performed under this Agreement. Such coverage shall be primary to the extent of Users negligent acts or omissions or willful misconduct, and shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. In addition, a waiver of subrogation by the commercial liability insurer shall be provided that lists or names the additional insured as subject to the waiver.

7.3 Worker's Compensation Insurance, as filed for use in Florida by the National Council on Compensation Insurance, without restrictive endorsements. In addition to coverage for the Florida Workers' Compensation Act, where appropriate, coverage is to be included for the Federal Employer's Liability Act and any other applicable Federal and State law. The minimum amount provided by an umbrella or excess policy shall be:

Part One-"Statutory" requirements
Part Two-\$500,000 Each Accident
 \$500,000 Disease-Policy Limit
 \$500,000 Disease Each Employee

7.4 Automobile Liability Insurance on a form no more restrictive than that provided by Section II (Liability Coverage) of the Standard Business Auto Policy (ISO Form CA 00 01) and shall cover User owned, non-owned, and hired autos used in any manner or incidental to the use of the facility. The minimum limits (inclusive of any amounts provided by an umbrella or excess policy) shall be \$1,000,000 per each Occurrence-Bodily Injury and Property Damage Combined.

7.5 Property Insurance. User and the City shall each be responsible for maintaining their own property and casualty insurance and policy endorsement, regardless of whether User purchases property insurance, and whether the City is wholly, partially or otherwise at fault, or the City is in any way responsible or liable for causation of accidents, injuries or death, in whole or in part, and User hereby expressly waives, releases, and holds the City harmless relative to any cause of action or right of recovery which User may have hereafter against the City for any loss arising out of damage to User's property, whether covered by insurance or not.

7.6 Evidence of Insurance. The required insurance shall be evidenced by a certificate of insurance which must be submitted to the City prior to the effective date of this Agreement. A copy of all notices, from all insurance companies providing coverage, directly or indirectly related to the use of the facilities in this Agreement, must be provided to the City within five (5) days of receipt. All insurance companies shall be instructed to provide thirty (30) days' notice of any cancellation to the City. Failure to comply with this section shall render this Agreement null and void. User shall provide the City with renewal or replacement evidence of insurance at least ten (10) days prior to expiration or termination of such insurance.

Article 8. Special Terms and Conditions

8.1 Termination. The parties may rescind this Facility Use Agreement at any time, for any reason, upon thirty (30) days written notice. Cancellation of this Agreement by User is subject to a reasonable fee for administrative costs by the City.

8.2 Default. Any violation of a provision or term of this Agreement will be considered a default of this Agreement, and if such default is not cured within five (5) days from the date of notice of such default, or if the default cannot be cured, then this Agreement shall terminate and be no longer in effect.

8.3 Dispute Resolution. This Agreement is made under, and in all respects shall be interpreted, construed, enforced, and governed by and in accordance with, the laws of the State of Florida. Venue for any legal action resulting from this Agreement shall lie solely in Volusia County, Florida.

8.4 Indemnification. User agrees to, and will at all times, indemnify, defend save and hold harmless the City, its officers, agents, and employees, from any and all liability, claims, demands, disputes, damages, costs, attorney's fees, and expenses (including prior to trial, through trial, and to and on appeal), as a result, directly or indirectly, of the use by User and/or its members, guests, visitors, spectators, players, programs and activities.

8.5 Non-Exclusive Agreement. Notwithstanding anything herein that may appear to the contrary, it is expressly understood and agreed upon by the parties that all rights granted under this Agreement are non-exclusive and the City reserves the right to grant similar privileges herein to others at any time. The City shall at all times be allowed to gain access to or use of all facilities. User agrees to provide a copy of keys to all locks used by User to restrict access to any part of a facility.

8.6 Sale of Prohibited Items. User is prohibited from the sale of alcoholic beverages, sexual content materials, and any tobacco related items. No type of advertisement, merchandise or signage related to alcoholic beverages, sexual content materials, or tobacco will be permitted.

8.7 Advertising. All on-site signs, informational kiosks, brochures, promotions or advertisements related to User shall be approved by the Director. User agrees to refrain from any commercial advertising without the Director's written approval.

Article 9. General Conditions

9.1 This Agreement shall be governed by the laws of the State of Florida, as well as applicable County of Volusia and City of Deltona Code of Ordinances and it shall become effective immediately upon execution by both parties hereto.

9.2 Any previously existing oral or written agreements between the parties shall be terminated as of the date of this Agreement and shall be deemed to be hereafter null and void and of no further force and effect. The entire agreement between the parties is incorporated herein. In addition to the terms of this Agreement, both parties agree to be bound by the policies and procedures regarding facility use, as adopted or amended by the City Commission.

9.3 This Agreement may not be assigned or transferred in any manner by User and any such assignment is expressly prohibited. Any attempt to assign this Agreement shall render this Agreement null and void.

9.4 No modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

9.5 The failure of any party hereto at any time to enforce any of the provisions of this Agreement will in no way constitute or be construed as a waiver of such provision or of any other provision hereof, nor in any way affect the validity of, or the right thereafter to enforce, each and every provision of this Agreement.

9.6 Under no circumstances does the City endorse, promote, condone, certify, vouch, or recommend, nor is it responsible for any of the contents, actions, agreements, activities, or services associated with User or its activities and programs.

9.7 In the event that the performance of this Agreement by the parties is prevented or interrupted as a consequence of any cause beyond the control of the City or User, including but not limited to acts of God or of a public enemy, national or local State of Emergency, allocation of or other governmental restriction upon the use or availability of labor or materials, rationing, civil insurrection, riot, embargo, flood, tidal wave, fire, explosion, bomb detonation, nuclear fallout, wind storm, hurricane, earthquake, or other casualty, disaster, or catastrophe, any governmental rules, acts, laws, ordinances, resolutions, restrictions, regulations, requirements, or orders, acts or actions of any government or public or governmental authority or commission, board, agency, agent, official or officer, the enactment of any statute, law, ordinance, resolution, regulation, rule, ruling, order, decree, judgment, restraining order or injunction of any court, said parties shall not be liable for such nonperformance.

9.8 The headings used throughout this Agreement are for convenience of reference only and have no significance in the interpretation of the body of this Agreement.

Article 10. Severability and Notice

10.1 The invalidity or unenforceability of any particular provision of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provisions were omitted.

10.2 Wherever provision is made in this Agreement for the giving, service or delivery of any notice, statement or other instrument, such notice shall be in writing and shall be deemed to have been duly given, served and delivered, if delivered by hand or mailed by United States mail or sent by facsimile, addressed as follows:

If to User:
{NAME}
{TITLE}
{COMPANY NAME}
{ADDRESS}
{CITY, STATE, ZIP}

If to City:
Steve Moore
Parks & Recreation Director
City of Deltona
2345 Providence Blvd.
Deltona, Florida 32725

And

Joyce Raftery
City Clerk
2345 Providence Boulevard
Deltona, FL 32725-1806

Each party hereto may change its mailing address by giving to the other party hereto, by hand delivery or United States mail, notice of election to change such address.

Article 11. Scope of Agreement

11.1 This Agreement is intended by the parties hereto to be the final expression of their Agreement, and it constitutes the full and entire understanding between the parties with respect to the subject hereof, notwithstanding any representations, statements, or agreements to the contrary heretofore made.

11.2 This Agreement consists of the following:

This Agreement
Authorization to Occupy
Facility Use Application
Addendum, if any

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement for the purposes stated herein.

Signed, sealed and delivered in the presence of Witnesses:

By: _____

By: _____

USER:

By: _____

Its: _____

CITY OF DELTONA:

By: _____
DALE BAKER, Acting City Manager

Date: _____

ATTEST:

JOYCE RAFTERY, City Clerk

Mailing Address:
2345 Providence Boulevard
Deltona, FL 32725-1806

Approved as to form and legality for use and reliance of City of Deltona only:

GRETCHEN R.H. VOSE
City Attorney

**CITY OF DELTONA
COMMISSION POLICY AND PROCEDURE**



<p align="center">EFFECTIVE DATE 06-17-2024</p>	<p align="center">POLICY NUMBER CC24-001</p>	<p align="center">NUMBER OF PAGES 1</p>	<p align="center">SUPERSEDES POLICY DATED N/A</p>
<p>Subject: Policy awarding Certificates, Keys to the City, Proclamations, and Presentations.</p>		<p align="center">Approved by:</p> <p align="center">_____</p> <p align="center">Doc Dougherty, City Manager Dated</p>	

See the attached policy and procedures manual.

City Recognition Policy

(Proclamations, Letters of recognition, Keys to the City, and Special Certificates)

PURPOSE:

To establish procedures and guidelines for Proclamations, Letters of Recognition, Keys to the City, and Special Certificates issued by the City of Deltona.

POLICY:

It is the policy of the City of Deltona to consider requests to proclaim certain events, causes, or achievements when such incidents positively impact the community and convey an affirmative message to Deltona residents. A Proclamation, a Letter of Recognition, the presentation of the Key to the City, or a Special Certificate does not constitute an endorsement of any individual or the organization by the Deltona City Commission.

THE FOUR TYPES OF RECOGNITION INCLUDE:

- Proclamations
- Letters of Recognition
- The Key to the City
- Special Certificates

1. PROCLAMATIONS

“Proclamations” are official announcements and/or public declarations issued by the Mayor and City Commission. Proclamations are ceremonial in nature and do not have any legislative value.

a) Process for Proclamations

All requests must be made in writing to the Office of the City Clerk at:

City of Deltona
Attn: City Clerk
2345 Providence Boulevard
Deltona, FL 32725

Valid "Proclamations" will be added to the City Commission agenda the meeting before the Proclamation is requested. The Proclamation will appear on the Consent Agenda of the Commission Agenda for consideration by the entire Commission. If passed by a majority vote of the present Commission, a Proclamation will be forwarded to the requesting individual or organization following the meeting. Proclamations will not be automatically presented during a meeting.

Should the Mayor vote "no" for any specific Proclamation passed by a vote of the Commission, the Vice-Mayor will be authorized to sign the Proclamation. If the Mayor and Vice-Mayor both vote "no" for the same Proclamation passed by a vote of the Commission, then the motioning Commissioner who voted in the affirmative will be authorized to sign the Proclamation.

b) Proclamations shall include:

- "Whereas clauses" developed with information provided by the requester, containing "who, when, why, what, where, and how"
- A "Now, Therefore Be it Resolved" clause proclaiming a specific event
- An execution date representing the date of signing or the date of the event
- Signature of the Mayor or a Commission Member
- City Seal
- Enclosed in a certificate holder
- Proclamations will either be mailed to the recipient or delivered to them personally

c) Proclamations may be issued for the following reasons:

- Recognition of an action or service above and beyond the call of duty
- Recognition of extraordinary achievement
- Supporting actions that improve the quality of life of the Deltona community
- To raise public awareness of issues that directly affect the Deltona community
- Social, cultural, or historical celebrations with significance to the City of Deltona

d) Proclamations may not be issued for:

- Matters of political controversy, ideological or religious beliefs, or individual conviction
- Events or organizations with no direct relationship to the City of Deltona
- Campaigns or events contrary to City policies

e) City Proclamations:

Proclamations recognizing City employees or City events shall only need a majority vote of the present Commission to be presented during the next Commission Meeting.

2. LETTERS OF RECOGNITION

“Letters of Recognition” are ceremonial documents issued by the Mayor or an individual Deltona City Commission Member that recognizes an individual or an organization’s service or extraordinary achievement. Letters of Recognition do not have any legislative value.

a) Process for Letters of Recognition

Valid “Letters of Recognition” may be requested of the Mayor or an individual Commission Member by sending a request to:

City of Deltona
Attn: (Name of Mayor or Commission Member)
2345 Providence Boulevard
Deltona, FL 32725
GENERAL EMAIL ADDRESS

If the Mayor or an individual Commission Member personally chooses to write a letter, a Letter of Recognition may be issued to the requesting individual or organization.

b) Letters of Recognition shall include:

- A letter on the Mayor’s or City Commission Member’s letterhead
- Information provided by the requester, containing “who, when, why, what, where, and how”
- An execution date representing the date of signing or the date of the event
- Signature of the Mayor or Commissioner
- Enclosed in a certificate holder
- Letters will either be mailed to the recipient or delivered to them personally

3. KEY TO THE CITY

A “Key to the City” is an honor bestowed by the Mayor. The Key to the City is the City's most prestigious award and will only be used to recognize exceptional achievement or to bestow honor upon distinguished persons and honored guests of the City of Deltona. It symbolizes an outstanding civic contribution of the recipient. A Key to the City does not have any legislative value.

a) Process for a Key to the City

Valid “Keys to the City” may be requested of the Mayor by sending a request to:

City of Deltona
Attn: (Name of Mayor)
2345 Providence Boulevard
Deltona, FL 32725
GENERAL EMAIL ADDRESS

If the Mayor chooses not to confirm a Key to the City to the requester, a Letter of Recognition might be considered as an alternative. If the Mayor does choose to confirm the special honor, they will notify the requester of which Commission Meeting the Mayor intends to present the “Key” to the requesting individual or organization.

b) Keys to the City shall include:

- Information provided by the requester, containing “who, when, why, what, where, and how”
- A date representing the day in which the recognition might be best presented

4. SPECIAL CERTIFICATES

“Special Certificates” are defined as specific greetings given for specific events.

a) The guidelines for receiving Special Certificate are as follows:

- 1) Birthday Greeting – Available to City of Deltona residents celebrating their 75, 80, 85, 90, 95, or their 100th birthday and above; or a veteran celebrating their 50, 60, or 70th birthday.

- 2) Baby's Birth Greeting – Available for City of Deltona babies born within six-months of the birth date. Please submit requests after the baby is born.
- 3) Wedding/Civil Union Anniversary – Couples celebrating 25, 50, 55, 60, 65, or 70 years of marriage/civil union.
- 4) Member of Clergy Anniversary - celebrating 30 years of service or longer.
- 5) Veteran Retirement – Available to military veterans for 20 years of service or longer.
- 6) Youth Achievement Awards – Available to young men and women who have achieved the rank of Eagle Scout or the C.A.P. Billy Mitchell Award, or obtained the Girl Scouts Gold Award, etc.

b) Process for Special Certificates

Valid "Special Certificates" may be requested of the Mayor or an individual Commission Member by sending a request through the City's website: www.deltonafl.gov.

Through the website, you will be asked which Commission Member or the Mayor from whom you would like to receive the Special Certificate. You will then complete the requested information including your name, the name on the certificate, and what event you are celebrating. Special Certificate will be available for pick-up AT City Hall within seven (7) days of receiving the request.

WHO CAN MAKE A REQUEST FOR RECOGNITION?

- Requests must be made by a City of Deltona resident or an organization that is located in the City of Deltona.

HOW SHOULD A REQUEST BE MADE?

- Requests can be mailed, hand-delivered, or emailed. If mailed or emailed, please call to verify receipt by City Hall
- Requests should be made at least 21 business days in advance of the date the document is needed

WHAT MUST THE REQUEST INCLUDE?

- Contact person's first and last name, street address, email address, and telephone number
- A summary and/or background of the event or organization

- A brief explanation of why you believe the honor is important
- The name of the event and date(s) of the day, week, month to be recognized
- Draft text for a Proclamation must include 4-6 “whereas” clauses
- An indication of whether the Proclamation or Letter of Recognition should be mailed or will be picked up by the requester
- A date when the proclamation or Letter of Recognition is needed
- Type ‘Proclamation Request’ or “Letter of Recognition” in the subject line of your email or letter

REVIEW AND APPROVAL:

- The City Manager’s Office reserves the right to modify or deny any ceremonial declaration request
- Individuals and organizations are encouraged to file their request as early as possible
- Proclamations received after the requested deadline will not be considered
- An organization may request only one proclamation annually
- An organization does not have exclusive rights to the day, week, or month of their request
- A “Letter of Recognition” is a great alternative to a City-wide Proclamation
- Only a city-recognized event, sponsored in whole or in part by the City of Deltona government, may be used as part of an advertisement or commercial promotion

QUALIFYING STATEMENT

A Proclamation, a Letter of Recognition, the presentation of the Key to the City, or a Special Certificate does not constitute an endorsement of the individual or the organization by the City of Deltona.